IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7730 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KULSUMBIBI YUSUFBHAI GADATIYA

Versus

REGIONAL PASSPORT OFFICE

Appearance:

MR ZUBIN F BHARDA for Petitioner

NOTICE SERVED BY DS for Respondent No. 1

MS PJ DAVAWALA for Respondent No. 2

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 25/07/2000

ORAL JUDGEMENT

Rule. Ms.Daruwala, Learned Additional Central Govt.Standing Counsel waives service of rule for respondent.

2. The petitioner has applied for change of date of his birth in the passport from 15/9/1948 to 12/9/1948 since the birth certificate issued by the Sarav Gram Panchayat, Talka Navsari (at annexure "C" to the petition) shows that the petitioner was born on 12/9/1948 at Sarav.

3. The Regional Passport Officer is directed to consider the petitioner's application for change of date of her birth in the passport in accordance with law on the basis of the material which may be placed before the Regional Passport Officer more particularly the birth certificate at Annexure "C" to the petition. He shall pass appropriate orders within a period of four weeks from the date of receipt of a certified copy of this order.

4. In case the petitioner is required to apply for a fresh passport, the petitioner shall comply with the requisite formalities for the same.

5. The petition is accodingly allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent.

6. Since the respondent is not responsible for the mistake in question, the petitioner shall pay costs of this petition which are quantified at Rs.1,000/- to the respondent within two weeks from today. Direct Service is permitted.

25.7.2000 (M.S.SHAH,J)